HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.R.No.198 of 2000
Date of decision : 28.03.2007

Chetan Dayal **.....Petitioner**

versus

Basant Dayal and others **.....Respondents**

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.

Present: Ms.Madhu Dayal, Advocate for the petitioner.
Mr.Sanjiv Sharma, Advocate for respondent Nos.1 & 3.
Mr.Sanjay Vij, Advocate for respondent No.2.

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ORDER

HEMANT GUPTA, J.

The present revision petition arises out of an order passed by the learned First Appellate Court whereby an application to seek ad interim injunction for restraining defendant No.3 from collecting rent from defendant No.5.

This Court passed an order on 28.2.2001 directing respondent Nos.1 & 3 to deposit rent receivable from Uganda's High Commission, the subsequent tenant of the premises House No.E-7/6, Vasant Vihar, New Delhi.

Admittedly, the suit, out of which the present revision petition arises, has been decided on 30.7.2004 with a liberty to the plaintiff to file a suit in respect of the property House No.E-7/6, Vasant Vihar, New Delhi, before the competent Court of law. Admittedly, the plaintiff has filed such a suit.

In view of the fact that a suit is pending before the competent Court of law, I deem it appropriate to give liberty to the parties to seek appropriate order regarding disbursement of the rent deposited in pursuance of the order passed by this Court on 28.2.2001, from the said Court.

With the aforesaid liberty, the present revision petition is dismissed having rendered infructuous.

(HEMANT GUPTA)
JUDGE

March 28, 2007
**mohinder*